



महाराष्ट्र शासन राजपत्र

असाधारण भाग आठ

वर्ष ६, अंक १२]

शनिवार, जून ७, २०१४/ज्येष्ठ १७, शके १९३६

[पृष्ठे ४, किंमत : रुपये २७.००

असाधारण क्रमांक ४६

प्राधिकृत प्रकाशन

महाराष्ट्र विधानमंडळाचे अधिनियम व राज्यपालांनी प्रख्यापित केलेले अध्यादेश व केलेले विनियम आणि विधी व न्याय विभागाकडून आलेली विधेयके (इंग्रजी अनुवाद).

In pursuance of clause (3) of article 348 of the Constitution of India, the following translation in English of the Maharashtra Land Revenue Code (Amendment) Bill, 2014 (L.C. Bill No. IV of 2014), introduced in the Maharashtra Legislative Council on the 7th June 2014, is hereby published under the authority of the Governor.

By order and in the name of the Governor of Maharashtra,

H. B. PATEL,
Principal Secretary to Government,
Law and Judiciary Department.

L. C. BILL No. IV OF 2014.

A BILL

further to amend the Maharashtra Land Revenue Code, 1966.

WHEREAS it is expedient further to amend the Maharashtra Land Revenue Code, 1966, for the purposes hereinafter appearing; it is hereby enacted in the Sixty-fifth Year of the Republic of India as follows :—

Mah.
XLI of
1966.

1. This Act may be called the Maharashtra Land Revenue Code (Amendment) Act, 2014. Short title.

Mah.
XLI of
1966.

2. In section 150 of the Maharashtra Land Revenue Code, 1966, to sub-section (2), the following provisos shall be added, namely :—

Amendment of
section 150 of
Mah. XLI of
1966.

“Provided that, where the record of rights are maintained under section 148A by using the storage device, as soon as the *Tahsildar* in the *Taluka* receives an intimation under section 154, the *Talathi* in the *Tahsildar* office shall send it to all persons appearing from the record of rights or register of mutations to be interested in the mutation and to any other person whom he has reason to believe to be

interested therein and also to the concerned *Talathi* of the village, by short message service or electronic mail or any such device as may be prescribed; and upon receipt of such intimation, the *Talathi* of the village shall immediately make an entry in the register of mutations :

Provided further that, no such intimation as provided under the first proviso shall be required to be sent by the *Talathi* in the *Tahsildar* office to the persons who have executed the document in person before the officer registering the document under the Indian Registration Act, 1908. ”.

XVI of
1908.

STATEMENT OF OBJECTS AND REASONS.

Section 154 of the Maharashtra Land Revenue Code, 1966 (Mah. XLI of 1966), provides that, when any document purporting to create, assign or extinguish any title to, or any charge on, land used for agricultural purposes, or in respect of which a record of rights has been prepared is registered under the Indian Registration Act, 1908 (XVI of 1908), the officer registering the document shall send intimation to the *Talathi* of the village in which the land is situate and to the *Tahsildar* of the *Taluka*, in such form and at such times as may be prescribed by rules made under the said Code. Sub-section (1) of section 150 *inter alia* provides that the *Talathi* shall enter in a register of mutations any intimation of acquisition or transfer under the said section 154. The *Talathi* initiates a process of making mutation entry in the record of rights once he receives the intimation from the officer registering the document during a month. With a view to curtail the delay in process of making the mutation entry and to ensure timely updating of the record of rights, a computerized programme of “e-Ferfar” has been developed in the State. To ensure effective implementation of the said programme throughout the State and bring transparency in the process, it is proposed to provide that, where the record of rights are maintained under section 148A by using the storage device and the *Tahsildar* in the *Taluka* receives an intimation under section 154, the *Talathi* in the *Tahsildar* office shall send it to all the persons appearing from the record of rights or register of mutations to be interested in the mutation and to any other person whom he has reason to believe to be interested therein and also to the concerned *Talathi* of the village, by short message service or electronic mail or any such device as may be prescribed. Upon receipt of such intimation, such *Talathi* shall immediately make an entry in the register of mutations. It is also proposed to provide that, no such intimation is required to be sent to the persons who have executed the document in person before the officer registering the document under the Indian Registration Act, 1908 (XVI of 1908). The Government, therefore, considers it expedient to amend sub-section (2) of section 150 of the Maharashtra Land Revenue Code, 1966, suitably.

2. Hence this Bill.

Mumbai,

Dated the 4th June 2014.

BALASAHEB THORAT,

Minister for Revenue.

MEMORANDUM REGARDING DELEGATED LEGISLATION.

The Bill involves the following proposal for delegation of legislative power, namely :—

Clause 2.—Under this clause, which seeks to add provisos to sub-section (2) of section 150 of the Maharashtra Land Revenue Code, 1966, power is taken to the State Government to prescribe, by rules, the other alternative device by which the intimation received by the *Tahsildar* office under section 154 may be sent by the *Talathi* to all the persons appearing from the record of rights or register of mutations to be interested in the mutation and to any other person whom he has reason to believe to be interested therein and also to the concerned *Talathi* of the village, other than by short message service or electronic mail.

2. The above-mentioned proposal for delegation of legislative power is of a normal character.